

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

|   |   |                            |
|---|---|----------------------------|
| <b>JESSE L. MORGAN,</b>                   | ) |                            |
|   | ) |                            |
| Plaintiff,                                | ) |                            |
|   | ) |                            |
| vs.                                       | ) | Case No. 4:15-cv-1654-SNLJ |
|   | ) |                            |
| <b>THE VOGLER LAW FIRM, P.C., et al.,</b> | ) |                            |
|   | ) |                            |
| Defendants.                               | ) |                            |

**PLAINTIFF JESSE MORGAN’S REQUEST FOR ATTORNEY’S FEES INCURRED IN  
COMPELLING OUTSTANDING DISCOVERY RESPONSES**

COMES NOW, Plaintiff Jesse Morgan, by and through his undersigned counsel, and pursuant to Federal Rule of Civil Procedure 37, Local Rule 3.04, and this Court’s Memorandum & Order awarding Plaintiff his attorney’s fees for securing outstanding discovery responses from Defendants, states as follows:

1. On February 22, 2017, Plaintiff a Motion to Compel outstanding discovery (Doc. # 44) relating to Interrogatories and Requests for Production he served Defendant Ronald and another Motion to Compel (Doc. # 45) relating to Interrogatories and Requests for Production he served upon Defendants Vincent V. Vogler, Vincent D. Vogler, and the Vogler Law Firm, P.C.
2. By Order dated April 18, 2017 (Doc. # 51), this Honorable Court granted both Motions to Compel, and awarded Plaintiff the attorney’s fees and costs he incurred in filing the Motions.
3. Pursuant to this Court’s Order, Plaintiff requests the sum of \$948.00 in attorney’s fees for filing both Motions to Compel and corresponding exhibits. *See* Affidavit of Bryan E. Brody, attached hereto as Exhibit 1.

4. As the United States Supreme Court has instructed, once the applicant for fees has carried the burden of showing that the claimed rate and number of hours are reasonable, the resulting product is “presumed to be the reasonable fee to which counsel is entitled.” *Pennsylvania v. Delaware Valley Citizens’ Council*, 478 U.S. 546, 564 (1986).

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter an Order awarding Plaintiff’s attorney’s fees of \$948.00 and for all other and further relief as this Court deems appropriate.

Respectfully submitted,

**BRODY & CORNWELL**

/s/ Bryan E. Brody

Bryan E. Brody, #57580MO

Alexander J. Cornwell, #64793MO

1 North Taylor Ave.

St. Louis, Missouri 63108

Phone: (314) 932-1068

[bbrody@ brodyandcornwell.com](mailto:bbrody@brodyandcornwell.com)

[acornwell@brodyandcornwell.com](mailto:acornwell@brodyandcornwell.com)

**CERTIFICATE OF SERVICE**

The undersigned attests that, on April 20, 2017, a copy of Plaintiff Jesse Morgan's Request for Attorney's Fees was served by operation of this Court's electronic filing system on the following counsel of record:

Karl W. Dickhaus  
9666 Olive Blvd., Ste. 211  
St. Louis, MO 63132  
Telephone: (314) 942-6571  
Facsimile: (314) 942-6570  
E-Mail: [kdickhaus@attystl.com](mailto:kdickhaus@attystl.com)

Michael A. Kasperek  
11756 Borman Drive, Suite 200  
Post Office Box 419037  
St. Louis, MO 63141-9037  
(314) 567-7970  
(314) 567-5053 (Fax)  
E-Mail: [mkvoglaw@earthlink.net](mailto:mkvoglaw@earthlink.net)

/s/ Bryan E. Brody